

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:
BROUILLETTE & ASSOCIES\PARTNERS
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PCT

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Date of mailing (day/month/year)	20 April 2005 (20-04-2005)
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Applicant's or agent's file reference 10575-002	FOR FURTHER ACTION See paragraph 2 below
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International application No. PCT/CA2005/000131	International filing date (day/month/year) 02 February 2005 (02-02-2005)	Priority date (day/month/year) 02 February 2004 (02-02-2004)
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International Patent Classification (IPC) or both national classification and IPC

IPC⁷ C08G 12/26, H01L 33/00, H01L 51/30, C07D 277/28

Applicant
UNIVERSITÉ DE MONTRÉAL ET AL

1. This opinion contains indications relating to the following items :

- | | | |
|---|--------------|---|
| <input checked="" type="checkbox"/> [X] | Box No. I | Basis of the opinion |
| <input checked="" type="checkbox"/> [X] | Box No. II | Priority |
| <input type="checkbox"/> [] | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input type="checkbox"/> [] | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> [X] | Box No. V | Reasoned statement under Rule 43bis.1(a)(I) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement. |
| <input type="checkbox"/> [] | Box No. VI | Certain documents cited |
| <input type="checkbox"/> [] | Box No. VII | Certain defects in the international application |
| <input checked="" type="checkbox"/> [X] | Box No. VIII | Certain observations on the international application |

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/CA <i>Canadian Intellectual Property Office</i> Place du Portage I, C114 - 1st Floor, Box PCT 50 Victoria Street Gatineau, Quebec K1A 0C9	Authorized officer Reese A. Adeney (819) 997-2852
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Facsimile No: 001(819)953-2476

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/CA2005/000131

Box No. I Basis of this opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language which it was filed, unless otherwise indicated under this item.

[] This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of :
 - a. type of material
 - [] a sequence listing
 - [] table(s) related to the sequence listing
 - b. format of material
 - [] in written format
 - [] in computer readable form
 - c. time of filing/furnishing
 - [] contained in the international application as filed.
 - [] filed together with the international application in computer readable form.
 - [] furnished subsequently to this Authority for the purposes of search.
3. [] In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statement that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments :

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Box No. II

Priority

1. ☒ The following document has not yet been furnished :

☒ copy of the earlier application whose priority has been claimed (Rules 43*bis*.1 and 66.7(a)).

☐ translation of the earlier application whose priority has been claimed (Rules 43*bis*.1 and 66.7(b)).

Consequently it has not been possible to consider the validity of the priority claim. This opinion has nevertheless been established on the assumption that the relevant date is the claimed priority date.

2. ☐ This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43*bis*.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.

3. Additional observations, if necessary :

The validity of the priority of this application has not been checked because this authority does not have in its possession a copy of the earlier application.

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Box No. V **Reasoned statement under Rule 43bis.1(a)(I) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Claims	<u>1-3</u>	YES
	Claims	_____	NO
Inventive step (IS)	Claims	<u>1-3</u>	YES
	Claims	_____	NO
Industrial applicability (IA)	Claims	<u>1-3</u>	YES
	Claims	_____	NO

2. Citations and explanations :

D4 = Vegh, D; Landl, M.; Pavlovicova, R.; Kuzmany, H.; Zalupsky, P., CA 1996:246277, DOC 125:58180

D4 discloses metal-free phthalocyanine analogs prepared by condensation of 2,5-bis [(2-thienylmethylene)amino] -3,4-thiophenedicarbonitrile derivatives or from 5, 6-di (2-thienyl) -2, 3-pyrazinedicarbonitrile derivatives.

A. Novelty

The claimed invention relates to the synthesis of conjugated aromatic oligo- and polyazomethines that are prepared by reacting one or more aromatic diamines with one or more aromatic dialdehydes either in solution or in a molten state.

Claims 1-3 do meet the criteria under PCT Article 33(2) for novelty.

B. Inventive step

Claims 1-3 do meet the criteria under PCT Article 33(3) for inventive step.

C. Industrial applicability

Claims 1-3 do meet the criteria under PCT Article 33(4) for industrial applicability because the claimed process produces conjugated thiophene-based oligoazomethines which would have applicability in the electrically conductive materials industry.

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Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made :

A statement in an application, such as found on page 55 (lines 5-8), which implies that the extent of protection may be expanded in some vague and not precisely defined way, does not comply with PCT Article 6 (5.30 PCT International Search and Preliminary Examination Guidelines.)